

I wish to object to the "Broadcast Flag" proposal NPRM 02-230. I am a strong supporter of the Open Source and Free Software computing movements. I use the Linux operating system regularly. I believe that the ability of technically savvy people to create innovative and interesting hardware and software products is vital to the ongoing health of the United States economy. I object to the "Broadcast Flag" because it would damage all of these things.

The Broadcast Flag proposal essentially gives the United States entertainment industry control over a wide range of computer products. Any hardware or software which could potentially interact with media protected by the Broadcast Flag would have to be approved by the industry before it could be produced. Even if the FCC is careful to promulgate rules which limit the industry's power, history shows that they will use intimidation tactics to go beyond what they are given.

The portion of the proposal which requires that products be hard to modify would make it impossible to produce an open source viewer for protected media. I'm certain the industry would attempt to ban even proprietary player software for open source operating systems such as Linux because they would claim that the OS itself could not be secured enough to protect their intellectual property.

This proposal is simply the latest attempt by the entertainment industry to erode the public's fair use rights. Given the enormous financial, legal, and political resources the industry has, I can see a day, not too far in the future, when there is no longer any concept of fair use left in the United States. Somebody has to stand up for the true meaning of copyrights and patents as the founders of this nation envisioned them when they drafted the Constitution. Will it be the FCC? I urge the commissioners to think carefully about the enormous ramifications of the Broadcast Flag. Please do not approve it.

Thank you.